

PTO/SB/17i (09-06)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PROCESSING FEE
Under 37 CFR 1.17(i)
TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

| | |
|------------------------|----------------|
| Application Number | 09/920,981 |
| Filing Date | August 2, 2001 |
| First Named Inventor | Hassan Taheri |
| Art Unit | 1725 |
| Examiner Name | Kevin P. Kerns |
| Attorney Docket Number | 39,000 |

Enclosed is a paper filed under 37 CFR 1.137(a) that requires a processing fee (37 CFR 1.17(i)).
Payment of \$ 500.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the processing fees)☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 50-3573:☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,**
Except for § 1.221 papers (Fee Code 1803)

For papers filed under:

§ 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.

§ 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.

§ 1.48 - for correcting inventorship, except in provisional applications.

§ 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.

§ 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).

§ 1.55 - for entry of late priority papers.

§ 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods

§ 1.99(e) - for processing a belated submission under § 1.99.

§ 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).

§ 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).

§ 1.103(d) - for requesting deferred examination of an application.

§ 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.

§ 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**

§ 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.

§ 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.

§ 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

David P. Yusko
SignatureDavid P. Yusko

Typed or printed name

10 November 2006

Date

30,817

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | |
|--|--|
| <p align="center">PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)</p> | <p>Docket Number (Optional)</p> <p align="center">39,000</p> |
|--|--|

First Named Inventor: Hassan Taheri et al.

Application Number: 09/920,981


Filed: August 2, 2001

Title: FLOW REACTORS FOR CHEMICAL CONVERSIONS
WITH HETEROGENEOUS CATALYSTS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit: 1725

Examiner: Kevin P. Kerns



NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☐ Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity – fee \$ 500.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office action in the form of
_____ Amendment (identify the type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

11/14/2006 MBLANCO 00000041 503573 09920981

B The issue fee of \$ _____

01 FC:1452 500.00 DA

☐ has been filed previously on _____.

☐ is enclosed herewith.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

David P. Yusko

Signature

11 November 2006

Date

David P. Yusko

Typed or printed name

30,817

Registration Number, if applicable

4225 Naperville Road

Address

630 857 7151

Telephone Number

Lisle, IL 60532

Address

Enclosure ☒ Fee Payment

- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unavoidable delay
- ☐ _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

10 NOV 2006

Date

Teddi Triggs

Signature

Teddi Triggs

Typed or printed name of person signing certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

David P. Yusko
Signature

11 November 2006
Date

David P. Yusko
Typed or printed name

30,817
Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

Petition attached.

(Please attach additional sheets if additional space is needed.)



U.S. Atty. Docket No. 39,000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------|--------------------------------|---|---|
| Appln. No. | 09/920,981 |) | Confirmation No. 6122 |
| | |) | |
| Applicant: | Hassan Taheri et al. |) | |
| | |) | |
| Filed: | August 2, 2001 |) | <u>CERTIFICATE OF MAILING</u> |
| | |) | |
| For: | Flow Reactors for Chemical |) | I hereby certify that this paper is being |
| | Conversions with Heterogeneous |) | deposited with the U.S. Postal Service as |
| | Catalysts |) | first-class mail in an envelope addressed to: |
| | |) | Commissioner of Patents, P.O. Box 1450 |
| | |) | on the following date: |
| Art Unit: | 1725 |) | |
| | |) | <u>10 NOV 2006</u> <i>Teddi Triggs</i> |
| Examiner: | Kevin P. Kerns |) | Teddi Triggs |

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

Dear Sir:

This patent application was assigned to BP Corporation North America Inc., when it was filed. Subsequently, many of the chemical assets, including this patent application, were spun off by BP Corporation North America Inc. to a newly-formed corporation, Innovene USA LLC, on April 1, 2005. On that same date, Innovene and the undersigned moved their office from BP Corporation's office at 4101 Winfield Road, Warrenville, Illinois 60555 to 200 E. Randolph Drive, Chicago, Illinois 60601. Mail concerning Innovene's patent applications, including this application, was to be forwarded from BP Corporation's Warrenville, Illinois office to Innovene's Chicago, Illinois office.

On April 1, 2006, Innovene and the undersigned moved their office again, this time from 200 E. Randolph Drive, Chicago, Illinois to 4225 Naperville Road, Lisle, Illinois 60532. Mail for Innovene that was delivered to the 200 E. Randolph Drive, Chicago, Illinois address and was to be forwarded to the 4225 Naperville Road, Lisle, Illinois address. No Innovene personnel remained at the 200 E. Randolph Drive, Chicago, Illinois office after April 1, 2006.

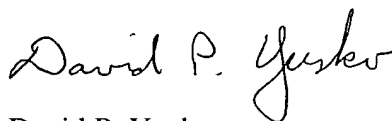
For some reason unknown to the undersigned, the Office Action for the present patent application which was mailed from the U.S. Patent and Trademark Office on March 16, 2006, was never received by Innovene or the undersigned. The Office Action was mailed to Ms. Carol Wilson of BP America Inc. at 4101 Winfield Road, Warrenville, Illinois and should have been forwarded to the 200 E. Randolph Drive, Chicago, Illinois address and then again should have been forwarded to the 4225 Naperville Road, Lisle, Illinois address.

In recent conversations with Ms. Wilson, she has confirmed that she has no record of receiving or forwarding the March 16, 2006, Office Action to Innovene or the undersigned. (Note: It was her practice at that time to maintain a copy of all documents forwarded to Innovene and also to record a receipt of the Office Action on a shared docket database. Neither event occurred). It is unknown at what point in this process the failure to forward the Office Action occurred. All that is known is that neither Ms. Wilson at BP, Innovene nor the undersigned received the March 16, 2006 Office Action.

The undersigned learned that the March 16, 2006 Office Action was missing only in October 2006, when a "Notice of Abandonment" was received.

The undersigned respectfully submits that the failure to respond to the March 16, 2006 Office Action was unavoidable and requests that the U.S. Patent Application No. 09/920,981 revived.

Respectfully submitted,



David P. Yusko
Registration No. 30,817

Date: November 10, 2006

INEOS USA LLC
Central Park of Lisle
4225 Naperville Road, S/600
Lisle, IL 60532

Telephone: 630 857 7151
Facsimile: 603 857 7328